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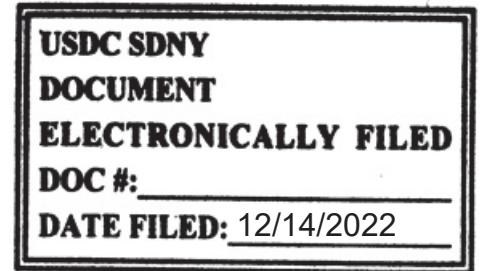
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December 8, 2022

Via ECF

The Honorable Robert W. Lehrburger  
500 Pearl Street, Room 1960  
United States Courthouse  
New York, NY 10007



Re: *Hedgeye Risk Management, LLC v. Dale*, No. 21-cv-3687 (ALC) (RWL)

Dear Judge Lehrburger:

We represent Defendants Darius Dale, Steven Lamar, and 42 Macro LLC and, in connection with Defendants' motion to quash several Hedgeye subpoenas, we write to request leave to file under seal Exhibits J, K, and M to the motion and certain references thereto.

There is good cause to seal these materials. These exhibits concern the preliminary marketing strategy and inner workings of Longbow, a third party that Hedgeye has pursued in discovery apparently to learn more about that business, rather than for any legitimate litigation purpose. Defendants properly designated these materials Highly Confidential-Attorneys' Eyes Only under the protective order due to their competitively sensitive nature, although Hedgeye improperly omitted that designation when it created Exhibit M, a composite exhibit Hedgeye used at its recent depositions.

In addition, due to the timing of Hedgeye's subpoenas, Defendants were forced to rely on rough deposition transcripts to support this motion. Because these transcripts have not yet been finalized, it is proper to file these drafts under seal.

Respectfully submitted,

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The Honorable Robert W. Lehrburger  
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Page 2

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*Attorneys for Defendants Darius Dale,  
Steven Lamar, and 42 Macro LLC*

Granted.

SO ORDERED:

12/14/2022



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HON. ROBERT W. LEHRBURGER  
UNITED STATES MAGISTRATE JUDGE